

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DEENA HEISLER, Individually;

Plaintiff,

vs.

**TED'S TOBACCO, INC., MICHAEL
WRIGHT, TREK PROPERTIES, LLC,
and JOHN DOE 1 AND 2 INCLUSIVE,**

Defendants.

8:16CV462

FINDINGS AND RECOMMENDATION

The above-captioned suit was filed on October 11, 2016. ([Filing No. 1.](#)) The parties were directed to file a Rule 26(f) Report no later than February 27, 2017. ([Filing No. 22.](#)) On February 27, 2017, a Motion for Extension of Time was granted and the parties were directed to file a Rule 26(f) Report by March 13, 2017. (Filing No. 24.) The Rule 26(f) Report was not filed as ordered and, consequently, the undersigned issued a Show Cause Order on March 28, 2017. ([Filing No. 25.](#)) The Show Cause Order directed Plaintiff to show cause why this action should not be dismissed for lack of prosecution by April 11, 2017. The Show Cause Order advised Plaintiff that failure to comply with the order would result in a recommendation that the case be dismissed. To date, Plaintiff has not responded to the Show Cause Order.

Accordingly,

IT IS HEREBY RECOMMENDED to United States District Court Judge Robert Rossiter, Jr. that this action be dismissed for want of prosecution.

A party may object to a magistrate judge's findings and recommendation by filing an objection within fourteen (14) days after being served with a copy of the findings and recommendation. NECivR 72.2. Failure to timely object may constitute a waiver of any objection.

Dated this 13th day of April, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge